

The Caucus of the Housing Authority of the City of Bayonne was held on Thursday, December 8, 2016 at Noon in the Conference Room located at 549 Avenue A, Bayonne, NJ 07002.

The following letter was received from the Executive Director, John T. Mahon.

Absent: Commissioners Karczewski and Nardini.

Honorable Ludovico Nolfo
87 Trask Avenue
Bayonne, New Jersey 07002

Honorable Timothy J. Moriarty
88 West 31st Street
Bayonne, New Jersey 07002

Honorable Rev. H. Sykes
28 West 20th Street
Bayonne, New Jersey 07002

Honorable Edward Kaczka
10 Latourette Place
Bayonne, New Jersey 07002

Honorable Maria Karczewski
95 West 39th Street
Bayonne, New Jersey 07002

Honorable Antonio Nardini
109 Avenue A
Bayonne, New Jersey 07002

Kathleen A. Walrod, Counsel
700 Plaza Drive Suite 212
Secaucus, N.J. 07096

Members of the Board:

In accordance with the By-laws of the Housing Authority of the City of Bayonne, after consulting with the other Commissioners of the Authority, I have determined to call Caucus Meetings of the Authority, as additional special meetings of the Authority, generally to be held on the Thursday Noon prior to the second Tuesday of the month.

Very truly yours,

Ludovico Nolfo
Chairman

The Director went over the Secretary's Report and reviewed all the Resolutions that were on the agenda for the Regular Meeting to be held on Tuesday, December 13, 2016.

The meeting convened at 12:05 PM.

The Regular Meeting of the Housing Authority of the City of Bayonne was held on **Tuesday, December 13, 2016 at 1:00 P.M.** in the Thomas Wojslawowicz Room located at 549 Avenue A, Bayonne, N.J. 07002.

Executive Director John Mahon called the roll and the following were present: Chairman Nolfo, Vice Chairman Sykes, Commissioners Moriarty, Karczewski, Nardini, and Patella. Also in attendance was Kathleen A. Walrod, Esq.

Chairman Nolfo welcomed Commissioner Patella to the Board.

Executive Director moved to dispense with the reading of the minutes of the previous full Agenda Meeting of November 8, 2016 in view of the fact that each Commissioner received a copy of these minutes. Motion made by Commissioner Moriarty and seconded by Vice Chairman Sykes.

AYES: Chairman Nolfo, Vice Chairman Sykes, Commissioners Moriarty, Karczewski, Nardini, and Patella.

NAYS: None.

Members of the Board:

A Resolution appointing **Brown and Brown Metro, Inc. as Risk Management Consultants** with the Authority's membership in the NJ Public Housing Authority Joint Insurance Fund for the year 2017 is being prepared for your consideration.

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A Resolution authorizing John Mahon as the Fund Commissioner for the NJ Public Housing Authority Joint Insurance Fund for the year 2017 is being prepared for your consideration.

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On Tuesday, December 6, 2016 at 11:00 a.m. proposals were received and opened for the replacement of hot water heaters and associated equipment for all of the Bayonne Housing Authority's owned and operated sites from the following:

PROPOSER

- DLB Associates of Eatontown, NJ
- RDS Associates of Newark, NJ
- DAL Design Group of Bayonne, NJ
- Herbst Musciano of Boonton, NJ

A Resolution awarding a contract to DAL Design Group for A/E Services is being prepared for your consideration.

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On Thursday, December 8, 2016 at 11:00 a.m. proposals were received and read aloud for Auditing Services from the following:

PROPOSER

- Polcari & Co. of Wayne, NJ

A Resolution awarding a contract to Polcari & Co. of Wayne, NJ is being prepared for your consideration.

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A Resolution approving and adopting the Reasonable Rent Policy.

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A Resolution authorizing to hire Hernan Bracero as a Cashier is prepared for your consideration.

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Resolution Approving the Employment Agreement between the Housing Authority of the City of Bayonne and Dave Cirrocha, Director of Finance.

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Respectfully submitted,

John T. Mahon
Executive Director

The following Resolutions were introduced by Chairman Nolfo, read in full, and considered:

(6363) WHEREAS, by Resolution No. 5154, adopted September 14, 2004, the Housing Authority of the City of Bayonne (the “Authority”) determined to become a member of the New Jersey Public Housing Authority Joint Insurance Fund (the “Fund”), and **WHEREAS**, the Authority is permitted to appoint a Risk Management consultant (the “Consultant”) to assist the Authority in activities related to the Fund, with compensation for the consultant to be paid by the Fund, now therefore be it **RESOLVED**, that **Brown and Brown Metro, Inc.**, doing business as Risk and Insurance Consulting Services, be reappointed as Risk Manager with respect to the Authority’s membership in the Fund, for the year commencing January 1, 2017 and be it further **RESOLVED** that the form of Agreement with the consultant (the “Agreement”), as presented to this meeting of the Board of Commissioners of the Authority and reviewed by them, be approved and executed by the appropriate Officers of the Authority, and be it further **RESOLVED** that, in accordance with the New Jersey Local Public Law Contracts Law, N.J.S.A. 40A:11 et seq., the hiring of the Consultant to provide the services contemplated in the Agreement, including the nature, service, duration and amount of the contract and a statement that the contract and the hiring resolution are available for public inspection shall be published as a legal notice once in a newspaper authorized by law to publish such notices.

CARRIED.

AYES: Chairman Nolfo, Vice Chairman Sykes, Commissioners Moriarty, Karczewski, Nardini, and Patella.

NAYS: None.

(6364) WHEREAS, the Bayonne Housing Authority (member) is a member of the New Jersey Public Housing Authority Joint Insurance Fund; and **WHEREAS**, the bylaws of said Fund require that each member Housing Authority appoint a FUND COMMISSIONER to represent and serve the Authority as its representative to said Fund; and **NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of the Bayonne Housing Authority does hereby appoint John T. Mahon as its FUND COMMISSIONER for the New Jersey Public Housing Authority Joint Insurance Fund for Fund years 2017 - 2020.

CARRIED.

AYES: Chairman Nolfo, Vice Chairman Sykes, Commissioners Moriarty, Karczewski, Nardini, and Patella.

NAYS: None.

(6365) WHEREAS, in accordance with the United States Department of Housing and Urban Development (“HUD”) procurement of professional services, the Housing Authority of

the City of Bayonne (the "Authority") on November 12, 2016 published in **THE JERSEY JOURNAL**, a Request for Proposals (the "RFP") for Architectural/Engineering Services (the "A/E Services") in connection with the following project:

THE REPLACEMENT OF HOT WATER HEATERS AND ASSOCIATED EQUIPMENT FOR ALL OF THE BAYONNE HOUSING AUTHORITY'S OWNED AND OPERATED SITES

WHEREAS, as of the **11:00 AM December 6, 2016** deadline for receipt of proposals in response to the RFP, the following Architectural/Engineering firms submitted proposals as follows:

ARCHITECTURAL/ENGINEERING FIRMS

DLB Associates of Eatontown, NJ
RDS Associates of Newark, NJ
DAL Design Group of Bayonne, NJ
Herbst Musciano of Boonton, NJ

WHEREAS, the Authority's Executive Director has evaluated the proposals received based on evaluation criteria included in the RFP and recommends that the Authority accept the proposal of DAL Design Group of Bayonne, New Jersey to perform the A/E Services, and

WHEREAS, the award of this contract has complied with the fair and open process, established and further defined by N.J.S.A. 19:44A-20.7. Consequently, the provisions of N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A-20.26, as to campaign contributions, do not apply to the contract,

NOW THEREFORE BE IT RESOLVED BY THE COMMISSIONERS OF THE AUTHORITY, that the proposal of DAL Design Group of Bayonne, New Jersey is hereby accepted, with the understanding that any condition or provision contained in the proposal, which is inconsistent with the Authority's Standard Agreement for Professional Architects/Engineers Services (the "Agreement") and the RFP, is not accepted, and **BE IT FURTHER RESOLVED**, that the Authority's appropriate officers are hereby authorized and directed to enter into the Agreement with DAL Design Group of Bayonne, New Jersey to perform said A/E Services, and

BE IT FURTHER RESOLVED, that in accordance with the New Jersey Local Publish Law Contracts Law, N.J.S.A. 40A:11 et seq., the hiring of DAL Design Group of Bayonne, New Jersey to provide the A/E Services, including the nature, service, duration and amount of the contract and a statement that the contract and the hiring resolution are available for public inspection, shall be published as a legal notice once in a newspaper authorized by law to publish such notice.

CARRIED.

AYES: Chairman Nolfo, Vice Chairman Sykes, Commissioners Moriarty, Karczewski, and Nardini.

NAYS: Commissioner Patella.

Commissioner Patella commented that he believes a public entity should not be entering a contract with a company that has been convicted on a federal level of fraud and false statements.

(6366) WHEREAS, proposals for Fiscal Audit Services by Independent Public accountants to be rendered to the Housing Authority of the City of Bayonne (the “Authority”) were received on Thursday, December 8, 2016 at 11:00 a.m. from the following:

Name of Auditor

Polcari & Co.

WHEREAS, in order to comply with the professional procurement requirements of 24 CFR and HUD’s PIH Notice 90-47, the Authority published a notice in the Jersey Journal on Wednesday, November 9, 2016 requesting auditors to submit proposals to provide auditing services to the Authority (“RFP”); and

WHEREAS, the award of this contract has complied with the fair and open process, established and further defined by N.J.S.A. 19:44A-20.7. Consequently, the provisions of N.J.S.A. 19:44A-20.5 and N.J.S.A. 19:44A 20.26, as to campaign contributions, do not apply to the contract, and

WHEREAS, Polcari & Co. based on the evaluation criteria, as prepared by the Executive Director and on file at the Authority, has submitted the only proposal and,

WHEREAS, the Local Public Contracts Law of the State of New Jersey, N.J.S.A. 40A:11 et seq., requires that the resolution authorizing the award of a contract for “Professional Services” without competitive bids and the contract itself must be available for public inspections;

NOW THEREFORE BE IT RESOLVED that the proposal submitted by Polcari & Co. be accepted to conduct the fiscal Audit of the Housing Authority for twelve (12) month period ending June 30, 2016; and be it further

RESOLVED that this contract has been awarded under competitive proposal procurement procedures, as more fully described at 24 CFR 85.36 and PIH Notice 2003-24, and as a “Professional Service” was not required to be bid under New Jersey Local Public Contract Law, and that a notice of this action shall be published once in an appropriate newspaper of general circulation.

CARRIED.

AYES: Chairman Nolfo, Vice Chairman Sykes, Commissioners Moriarty, Karczewski, Nardini, and Patella.

NAYS: None.

(6367) WHEREAS, The Department of Housing and Urban Development (HUD) has established regulations that require the Agency to adopt a written Administrative Plan that establishes local policies of the program in accordance with HUD requirements; and

WHEREAS, 24 CFR 982.54(d) 15 requires that the Agency Administrative Plan must cover PHA policies on the method of determining that rent to owner is a reasonable rent (initially and during the term of a HAP contract); and

WHEREAS, The Department of Housing and Urban Development has established the Section 8 Management Assessment Program (SEMAP) regulations that requires the Agency to demonstrate to HUD that the Agency has and implements a reasonable [24CFR985.3 (b) (3) (a) & (B)]; and

WHEREAS, It is the intent of the Board of Commissioners of the Agency to establish policy that will implement the rules and regulations provided by the Department of Housing and Urban Development with regard to management of a public housing agency; **NOW THEREFORE BE IT RESOLVED** that the Board of Commissioners hereby approves and adopts the Reasonable Rent Policy on the 13th day of December, 2016. This Policy will take effect immediately.

CARRIED.

AYES: Chairman Nolfo, Vice Chairman Sykes, Commissioners Moriarty, Karczewski, Nardini, and Patella.

NAYS: None.

(6368) RESOLVED, that the following be appointed to the position of Director of Administration (Public Housing and HCV) at the annual salary shown, in accordance with the rules and regulations of the New Jersey Department of Personnel and the personnel policy of the Housing Authority of the City of Bayonne (the "Authority"). Appointment and temporary employment shall be contingent upon satisfaction of all Authority requirements for medical examination, background check and other reviews and evaluations, as required depending upon the position. If already temporarily employed, such employment may be terminated if any such contingency is not resolved satisfactorily.

Hernan Bracero

\$86,000

CARRIED.

AYES: Chairman Nolfo, Vice Chairman Sykes, Commissioners Moriarty, Karczewski, Nardini, and Patella.

NAYS: None.

(6369) WHEREAS, The Authority wishes to obtain the services of the Employee as Director of Finance because of his experience and knowledge of public housing management and finance as well as familiarity with Federal and New Jersey Dept. of Community Affairs requirements of which the Authority is in need; and

WHEREAS, The Employee has provided said services to the Authority since 7/1/2010 to the present; and

WHEREAS, the Employee desires to continue to provide said services as Director of Finance of Housing Authority of the City of Bayonne; and

WHEREAS, the Employee and Authority believe it to be mutually beneficial to enter into and to execute a Contract of Employment between the Authority and Employee that establishes in writing the conditions of employment.

NOW THEREFORE BE IT RESOLVED that the employment contract dated 12/13/2016 is hereby approved and the Executive Director is authorized to sign and execute the same.

CARRIED.

AYES: Chairman Nolfo, Vice Chairman Sykes, Commissioners Moriarty, Karczewski, Nardini, and Patella.

NAYS: None.

(6370) WHEREAS, the Executive Director of the Housing Authority of the City of Bayonne (the “Authority”) has prepared the attached list of claims and payments (the “List”) for consideration by the Authority Board of Commissioners, and
WHEREAS, the List has been reviewed by the Commissioners,
NOW THEREFORE BE IT RESOLVED that the Chairman or Vice Chairman and the Executive Director be authorized and directed to execute checks for and make the payments hereby approved.

CARRIED.

AYES: Chairman Nolfo, Vice Chairman Sykes, Commissioners Moriarty, Karczewski, Nardini, and Patella.

NAYS: None.

(6371) WHEREAS, the Executive Director of the Housing Authority of the City of Bayonne (the “Authority”) has prepared the attached list of claims and payments (the “List”) for consideration by the Authority Board of Commissioners, and
WHEREAS, the List has been reviewed by the Commissioners,
NOW THEREFORE BE IT RESOLVED that the Chairman or Vice Chairman and the Executive Director be authorized and directed to execute checks for and make the payments hereby approved.

CARRIED.

AYES: Chairman Nolfo, Vice Chairman Sykes, Commissioners Moriarty, Karczewski, and Nardini.

NAYS: None.

The Chairman opened the floor to anyone in the audience.

Motion made by Vice Chairman Sykes and seconded by Commissioner Moriarty to adjourn. The meeting was then adjourned at 1:10 p.m.